IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 2ND NOVEMBER 2007 / 11TH KARTHIKA 1929

WP(C).No. 31340 of 2007(E)

PETITIONER:

SHIBU THOMAS, S/O. THOMAS,
KAIMANNIL VEEDU, URUKUNNU, THENMALA VILLAGE,
PATHANAPURAM TALUK.

BY ADV. SRI.ANCHAL C.VIJAYAN.

RESPONDENTS:
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1. **THE DEPUTY SUPERINTENDENT OF POLICE,**
   PUNALUR, KOLLAM DISTRICT, PIN-691 305.

2. **THE CIRCLE INSPECTOR OF POLICE,**
   KULATHUPUZHA, KOLLAM DISTRICT, PIN-691 310.

3. **SRI. SHYJU, S/O. THAJUDEEN,**
   KANAL PURAMBOKKU, NEAR MUSALIAR FARM, URUKUNNU,
   URUKUNNU P.O., KOLLAM DISTRICT-691 329.

4. **SRI. SHIJU @ USTHADU, S/O. THAJUDEEN,**
   KANAL PURAMBOKKU, NEAR MUSALIAR FARM, URUKUNNU,
   URUKUNNU P.O., KOLLAM DISTRICT-691 329.

5. **SRI. BIJU, S/O. VIJAYARAJAN,**
   BIJI VILASAM, NEAR KANAL PALAM (COLONY),
   URUKUNNU P.O., KOLLAM DISTRICT, PIN-691 329.

W.P.(C). NO.31340/2007:

6. SRI. AJI, S/O. VIJAYARAJAN,
BIJI VILASAM, NEAR KANAL PALAM (COLONY),
URUKUNNU P.O., KOLLAM DISTRICT, PIN-691 329.

BY GOVT. PLEADER SRI. SALIM.P.A.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO. 31340/2007-E:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE LETTER NO. FOT/C-1555/FDN-WO/553 DTD. 14/09/2007 ISSUED BY RPG TRANSMISSION LTD. TO THE PETITIONER.

EXT.P.2: COPY OF THE PETITION SUBMITTED BY THE PETITIONER TO THE R.2. DTD. 16/10/2007.

RESPONDENT'S EXHIBITS: **NIL.**

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO.31340 OF 2007-E

Dated 2nd November, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner is a contractor. He has been awarded the sub-contract for erecting a transmission line for the Power Grid Corporation, connecting Thenkasi to Edamon. He is doing the work at location Nos.61/0, 62/0 and 63/0 in the said line. While so, the respondents 3 to 6 came there and caused obstruction to the work. Therefore, the petitioner filed Ext.P2 representation before the 2nd respondent C.I of Police, alleging that the said persons came to the work site and created problems and obstructed the work. The work has to be completed by 14.11.2007. Therefore, protection may be granted for doing the work, it was prayed in that representation. When no action was taken on the said representation, this writ petition was filed seeking appropriate reliefs.

2. The 2nd respondent has filed a statement, in which it is submitted that there is no law and order problem in the work site. There is some

dispute between the petitioner and his workmen regarding the execution of the work. The petitioner could not complete the work in time. Therefore, this writ petition is filed as a ruse to get extension of time to execute the work, from the Power Grid Corporation. The petitioner has not filed any reply affidavit or statement.

3. If the petitioner's workmen are not working according to his instructions, the police have no role to play in that. It is an industrial dispute, which has to be settled before other forums. But, if any report regarding cognizable offence is filed, needless to say, the police shall take appropriate action in accordance with law.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/